

United States Court of Appeals
FOR THE
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 7th day of August, two thousand twenty-four.

Present:

Dennis Jacobs,
Gerard E. Lynch,
Eunice C. Lee,
Circuit Judges.

Ivan Antonyuk, et al.,

Plaintiffs-Appellees,

v.

Docket Nos. 22-2908(L), 22-2972(Con)

Steven G. James, in his official capacity as
Superintendent of the New York State Police, et al.,

Defendants-Appellants.

Jimmie Hardaway, et al.,

Plaintiffs-Appellees,

v.

Docket No. 22-2933

Steven G. James, in his official capacity as
Superintendent of the New York State Police,

Defendant-Appellant,

v.

Brian D. Seaman, in his official capacity as the
District Attorney for the County of Niagara, New
York, et al.,

Defendants-Appellees.

Brett Christian, Firearms Policy Coalition, Inc.,
Second Amendment Foundation, Inc.,

Plaintiffs-Appellees,

v.

Docket No. 22-2987

Steven G. James, in his official capacity as
Superintendent of the New York State Police,

Defendant-Appellant,

v.

Michael J. Kean, in his official capacity of Acting
District Attorney for the County of Erie, New York,

Defendant-Appellee.

Michael Spencer, His Tabernacle Family Church,
Inc.,

Plaintiffs-Appellees,

v.

Docket No. 22-3237

Steven G. James, in his official capacity as
Superintendent of the New York State Police, et al.,

*Defendants-Appellants.*¹



¹ The Clerk of Court is respectfully directed to amend the captions to conform to the above. By operation of Federal Rule of Appellate Procedure 43(c)(2), Steven G. James was automatically substituted for Dominic L. Chiumento upon assuming the office of Superintendent of the New York State Police. Similarly, Michael J. Kean was automatically substituted for John J. Flynn upon assuming the office of Acting District Attorney for the County of Erie, New York.

The Supreme Court has granted Appellees' petition for writ of certiorari, vacated the judgment in this case, and remanded to this Court for further consideration in light of *United States v. Rahimi*, 602 U.S. ___, 144 S. Ct. 1889 (2024). See *Antonyuk v. James*, No. 23-910, 2024 WL 3259671 (U.S. July 2, 2024).

It is hereby ORDERED that the parties shall submit supplemental briefing on the issue of how *United States v. Rahimi* affects the judgment of this Court rendered on December 8, 2023. See *Antonyuk v. Chiumento*, 89 F.4th 271 (2d Cir. 2023). All parties shall submit supplemental briefing, no longer than 20 double-spaced pages by Wednesday, September 4, 2024, to this Court. No supplementary *amicus* briefs will be accepted.

FOR THE COURT:

Catherine O'Hagan Wolfe, Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit